

STATE OF RHODE ISLAND AND
PROVIDENCE PLANTATIONS,
DEPARTMENT OF HEALTH,
BOARD OF MEDICAL LICENSURE
AND DISCIPLINE

C93-090

In the matter of:
Howard S. Sturim, M.D.

CONSENT ORDER

Pursuant to Section 5-37-5.1 of the General Laws of the State of Rhode Island, 1956, as amended, a complaint was filed with the Board of Medical Licensure and Discipline (hereinafter referred to as "Board") alleging Howard S. Sturim, M.D., Respondent, violated Section 5-37-5.1 of the General Laws of the State of Rhode Island, 1956, as amended.

An investigation was conducted by Investigating Committee III, so called, of the Board.

Investigating Committee III reported its evaluations and recommendations to the Board. The report was reviewed by the Board and it recommended further action.

The following constitutes the Investigating Committee's Investigative Findings with respect to the professional performance of the Respondent.

Investigative Findings

1. An 18 year old male was seen by the Respondent for emergency repairs to a lacerated left long finger and a mutilated and fractured left index finger following an accident with a table saw. Nine days later, the Respondent attempted an open reduction with an internal fixation. The finger

3. The Board charges the Respondent with a violation of Rhode Island General Laws 5-37-5.1 (28) Medical Malpractice.

The parties agree as follows:

- (1) The Respondent is a physician licensed and doing business under and by virtue of the Laws of the State of Rhode Island, allopathic license No. 3888.

- (2) Respondent admits to the jurisdiction of the Board and hereby agrees to remain under the jurisdiction of the Board.

- (3) Respondent has read this Consent Order and understands that it is a proposal of Investigating Committee II of the Board and is subject to the final approval of the Board. This Consent Order is not binding on respondent until final ratification by the Board.

- (4) Respondent hereby acknowledges and waives:

- a. The right to appear personally or by counsel or both before the Board;
- b. The right to produce witnesses and evidence in his behalf at a hearing;
- c. The right to cross examine witnesses;
- d. The right to have subpoenas issued by the Board;
- e. The right to further procedural steps except for specifically contained herein;

- f. Any and all rights of appeal of this

acquainted with all evidence pertaining to this matter in order to review adequately this Consent Order;

- i. Any objection to the fact that potential bias against the Respondent may occur as a result of the presentation of this Consent Order.

(5) If the Consent Order is not accepted by the Respondent, the Investigative Committee will recommend to the Board that an Administrative Hearing be scheduled with respect to any and all acts of alleged unprofessional conduct. If the Board approves, a Hearing Committee will be convened for the purpose of conducting the Administrative Hearing. The composition of the Hearing Committee is described by statute. If the Hearing Committee votes in favor of finding the Respondent guilty of unprofessional conduct as specified in the charges, the Board shall prepare written finding of fact and law in support of said conclusion. If the accused is found not guilty, the Board shall, forthwith, issue an order dismissing the charges.

(6) Acceptance of this Consent Order and of the facts set forth herein is an acknowledgement by the Respondent that they are the findings of an Investigating Committee of the Board.

(7) This Consent Order shall become part of the public record of this proceeding once it is accepted by all parties and by the Board. It shall be published as the Board, in its

(9) The Respondent voluntarily agrees to a reprimand in accordance with R.I.G.L. 5-37-6.3.

(10) The Respondent shall pay an Administrative Fee of Six Hundred (\$600) Dollars to the Board within sixty days of ratification of this Consent Order.

Signed this 4th day of May 1994.


Howard S. Sturim, M.D.

Ratified by the Board of Medical Licensure and Discipline at a meeting held on ~~May 11, 1994~~ May 11, 1994.